

Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 1-7. These sheets, which include Figs. 1-7, replace the original sheets including Figs. 1-7.

Attachment: Replacement Sheets

REMARKS

This amendment is being filed in response to the Office Action having a mailing date of October 10, 2006. No new matter has been added. With this amendment, claims 1-20 are pending in the application.

I. Objections

The present Office Action objected to the drawings, due to the quality of Figure 2 as filed, and due to an inconsistency between the figures and written description with respect to the reference label "32." Replacement sheets of drawings having formalized Figures 1-7 are being submitted herewith, including Figure 2 having improved drawing quality. The specification is amended as shown to address the issue with respect to the reference label "32," thereby removing the necessity of amending the corresponding figures themselves.

The present Office Action also objected to the specification and to claims 1 and 5 due to certain informalities. These informalities are addressed via amendment of the specification and claims 1 and 5 as shown above.

II. Allowable subject matter

Claims 4, 7, 15, and 18 were indicated to be allowable if rewritten in independent form to include the limitations of their respective base claims. The Examiner is thanked for this indication of allowable subject matter.

Claims 4, 7, 15, and 18 are not being rewritten in independent form herein, since it is believed that their base independent claims are allowable over the cited references, as will be explained below. The applicants would be very appreciative of a subsequent opportunity to rewrite claims 4, 7, 15, and 18 into independent form (and to also change the dependency of the other dependent claims to be dependent upon said newly independent claims), if the next communication indicates that the rejections of the existing independent claims have been maintained.

III. Discussion of the claim rejections

The present Office Action rejected claims 1-3, 5-6, 8-14, 16-17, and 19-20 as being unpatentable over Best (U.S. Patent No. 7,061,972) in view of Kohli (U.S. Patent No. 6,574,558). For the reasons set forth below, these rejections are respectfully traversed.

Specifically, Best does not qualify as prior art, since the present invention was conceived prior to Best's filing date of April 4, 2002 and then diligently reduced to practice. Said diligence began at least as early as just prior to Best's April 4, 2002 date, and continued until the constructive reduction to practice by virtue of the filing of the present application's priority European Patent Application No. 02255421.6 on August 2, 2002.

In accordance with 37 C.F.R. § 1.131, attached herewith are declarations from the inventor Philip Mattos and from Ian Loveless (the UK patent attorney who prepared and filed the priority European Patent Application No. 02255421.6), along with the accompanying exhibits. It is respectfully submitted that Messrs. Mattos' and Loveless' declarations and accompanying exhibits provide the requisite showing of conception prior to April 4, 2002, coupled with diligence until the constructive reduction to practice. As such, Best is properly removed as a reference, and it is kindly requested that the rejections on the basis of Best be withdrawn.

It is noted that a co-pending U.S. patent application (U.S. Application Serial No. 10/632,566) is being examined by the same present Examiner and has also been rejected on the basis of Best. This co-pending U.S. patent application and the present application have common inventors/assignees and have substantially similar specification, with different claims. Declarations and accompanying exhibits under 37 C.F.R. § 1.131 will/are also being submitted in a response to an Office Action for this co-pending U.S. patent application to remove Best as a reference. The content of said declarations and accompanying exhibits for this co-pending U.S. patent application are similar (if not identical) to the content of the declarations/exhibits submitted herewith, since the corresponding priority EP applications of both the present application and the co-pending U.S. patent application were derived from common inventor conception documents, diligence activities, draft EP applications, etc.

It is kindly requested that the Examiner cite said co-pending U.S. Application Serial No. 10/632,566 (U.S. Patent Application Publication No. 20040120385) in

a Notice of References Cited (form PTO-892) to be returned with the next communication, so as to further confirm that the Examiner is aware of and has considered said co-pending application.

IV. Conclusion

Overall, none of the references singly or in any motivated combination disclose, teach, or suggest what is recited in the independent claims. Thus, given the above amendments and accompanying remarks, the independent claims are now in condition for allowance. The dependent claims that depend directly or indirectly on these independent claims are likewise allowable based on at least the same reasons and based on the recitations contained in each dependent claim.

If the undersigned attorney has overlooked a teaching in any of the cited references that is relevant to the allowability of the claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (206) 622-4900.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,
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